

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 175 be amended to read as follows:

- 1 Page 1, line 14, delete "and" and insert "**or**".
- 2 Page 1, line 15, after "(B)" insert "**precise**".
- 3 Page 1, line 15, delete "location while the offender is away from
- 4 home;" and insert "**location;**".
- 5 Page 2, line 9, delete "(4) can track the locations where the offender
- 6 has been;".
- 7 Page 2, run in lines 8 through 9.
- 8 Page 2, line 10, delete "(5)" and insert "**(4)**".
- 9 Page 2, line 14, delete "offender," and insert "**offender and track**
- 10 **the locations where the offender has been,**".
- 11 Page 2, between lines 27 and 28, begin a new paragraph and insert:
- 12 "SECTION 4. IC 35-38-2.5-7 IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. (a) A court may not
- 14 order home detention for an offender unless the offender agrees to abide
- 15 by all of the requirements set forth in the court's order issued under this
- 16 chapter.
- 17 (b) A court may not order home detention for an offender who is
- 18 being held under a detainer, warrant, or process issued by a court of
- 19 another jurisdiction.
- 20 (c) A court may not order home detention for an offender who has
- 21 been convicted of a sex offense under IC 35-42-4 or IC 35-46-1-3
- 22 unless:
- 23 (1) the home detention is supervised by a court approved home
- 24 detention program; and
- 25 (2) the conditions of home detention:
- 26 (A) include twenty-four (24) hour per day supervision of the
- 27 offender; **and**
- 28 (B) **require the use of surveillance equipment and a**
- 29 **monitoring device that can transmit information**
- 30 **twenty-four (24) hours each day regarding an offender's**
- 31 **precise location.**".
- 32 Page 4, line 16, after "using" insert "**surveillance equipment and**".

- 1 Page 4, line 17, strike "and surveillance equipment" and insert "**that**
- 2 **can transmit information twenty-four (24) hours each day**
- 3 **regarding an offender's precise location**".
- 4 Renumber all SECTIONS consecutively.
 (Reference is to SB 175 as printed February 11, 2005.)

Senator DILLON